

FOR THE EASTERN DISTRICT OF TEXAS

SHERMAN DIVISION

FILED

JAN 17 2017

Clerk, U.S. District Court
Texas EasternANTHONY DAVID TEAGUE, #1976916
Petitioner

v.

LORIE DAVIS, Director, TDCJ-CID,
Respondent

CIVIL ACTION NO. 4:16CV814

U.S. Magistrate Judge Johnson

PETITIONERS VERIFIED MOTION TO SUPPLEMENT PETITION

Petitioner, Anthony David Teague, pursuant to 28 USC § 2242 and Rule 15, Fed. R. Civ. P. requests leave to supplement his Petition for Writ of Habeas Corpus by stating additional facts:

1. The facts stated in his previously filed Request for Discovery are incorporated herein by reference.
2. At CR 1181 and 1199, Detective Phelan states he received a voice mail from me. This is partly true, I did leave him a voice mail on 10/30/12. He claims I said I wished to cancel my scheduled meeting with him for 10/31/12 and would be staying out of Plano from then on. What I actually said was I would be staying out of Plano until my SMU civil action was resolved. Discovery for this voice mail is clearly indicated because immediately thereafter, Phelan states that he sought an arrest warrant from the judge. This evidence, and Phelan's attempt to hide it, clearly indicate the causal link between Petitioner's civil action and this criminal case. Phelan got mad and did something stupid because Petitioner indicated he wasn't backing down on his lawsuit, which was constitutionally protected.
3. These ~~claims~~^{facts} are excused from procedural default in the state court as it would have been futile to present them there.
4. This Court should grant leave freely to amend his petition. Foman v. Davis, 83 S.Ct. 227 (1962)

I certify the foregoing facts are true under penalty of perjury, pursuant to 28 USC § 1746.

SIGNED the 11th day of
January, 2017.

X Anthony David Teague

Anthony David Teague #1976916
PETITIONER PROSE